view of the comments made hereinafter.

Rejection of claims 1-8 for obviousness

The Examiner rejects claims 1-8 under 35 U.S.C. 103(a) as being obviousness over Nutten et al United States Patent 3,428,406 in view of Bailey United States Patent 3,597,134 and further in view of Willms et al United States Patent 5,842,854.

The earlier cited and earlier discussed (see applicants paper dated June 11, 2001) Nutten et al reference does not teach adjustable fuel flow to the nozzle and does not disclose a metering valve between the nozzle and the fuel supply as the Examiner has and continues to correctly note. Neither the Bailey nor Willms references serve to assist this deficiency in the Nutten et al reference.

Bailey is a very complicated apparatus which heats air above a vaporising temperature. Subsequently, Bailey "violently" mixes his heated air with the fuel and then cools it to provide an aerosol. This is not an application that is anyway relevant to the present invention which is not concerned with heating air prior to mixing it with fuel and thereafter cooling it since the present application is not interested in an aerosol at all.

Referring to the Examiner's statement that Bailey teaches an adjustable fuel metering apparatus and referring to col. 6, lines 45-55 of the Bailey disclosure, it is true that Bailey teaches an adjustable metering apparatus but this apparatus is a pump and not a valve, the latter of which is taught by the present invention and which is recited in all of the eight(8) claims under consideration. A pump is expensive and a metering pump is even more expensive. A metering pump is not taught or required by the present application. The present invention teaches a metering valve and the combination of Bailey's metering pump with the apparatus disclosed in Nutten et al '406 would simply lack utility since Nutten et al '406 already teach air under pressure (see col.4, lines 25-27) and do not need

fuel under pressure. Indeed, the proposed combination would be inoperable in a practical manner with both air and fuel then being under pressure.

Dealing with the Willms et al reference, and with respect, there is indeed a metering element 90 illustrated and described in Willms et al but that metering element (a baffle as shown clearly in Figure 6) is not adjustable and does not act to increase or decrease the flow of fuel. Again, it is also not a valve. There would be no utility in combining the non-adjustable baffle of Willms et al and/or the adjustable pump of Bailey with the Nutten et al apparatus in whatever combination one would wish to combine them. None of the combinations would produce an adjustable metering valve metering fuel between the fuel supply and the nozzle as is disclosed in the present application.

Regarding the Examiner's comments directed towards claims 7 and 8, these claims are dependent from claim 1 and applicant submits these claims should be allowable for the same reasons claim 1 is deemed to be allowable.

Finally and with respect, for the reasons set out above, applicant traverses the Examiner's statements set forth at lines 1-4 of page 4 of the Examiner's paper. Bailey teaches an adjustable pump and not an adjustable valve and, as described above, Bailey's adjustable pump would simply lack utility if included in the Nutten et al apparatus.

Document WO 98/01031 is noted.

Applicant has carefully reviewed the present claims of this application but notes that the metering valve is presently recited and, similarly, that the metering valve is also required to be adjustable. None of these elements are taught or suggested by the references cited by the Examiner, taken singly or in combination, and for that reason no further amendment to the claims is deemed necessary.

In view of the above, reconsideration and withdrawal of the objections and rejections is requested and allowance of claims 1-8 at an early date is solicited.

Respectfully submitted,

Edgar C. ROBINSON et al

Per: _____
John R. Uren
Regn. No. 27,530

Date: February 1, 2002

John Russell Uren, P.Eng.
Suite 202, 1590 Bellevue Avenue
West Vancouver, British Columbia V7V 1A7

Telephone: (604) 922-2997 (West Vancouver, Canada)
(360) 945-3411 (Washington State)

int21246v2.wpd